

Appl. No. 10/602269
Amdt. dated August 18, 2005
Reply to Office Action of June 28, 2005

REMARKS

Claim amendments

In the aforementioned Office communication, the examiner rejected each of the claims in the application under 35 USC § 112 for containing subject matter which was not described in the specification and under 35 USC § 102 in light of the disclosures in the patents to Chung-Piao, Gyori, and Clanton. Applicant has amended claims 1-3 upon which claims 12-15 are dependent. Claims 4-7 are canceled herein with claims 8-11 being previously canceled.

Rejection under § 112

In the Office Action, the Examiner rejected claims 1-7 and 12-15 for failing to comply with the written description requirement of § 112. More specifically, the Office Action indicates the specification does not provide for a non-reflective lens in the form of a light transmitting material. To address this issue, claim 1 has been amended to remove the language of a non-reflective lens in the form of a light transmitting material.

Rejection under § 102

In the aforementioned Office Action, the examiner rejected each of the claims in the application under § 102 in light of the disclosures in the patents to Chung-Piao, Gyori, and Clanton. Before discussing the amendment to claim 1, which carries through to the remaining claims in the application as they are all dependent thereon, it is felt helpful to briefly summarize the prior art references.

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Looking first at the patent to Chung-Piao, it can be seen to disclose an alarming and entertaining glove including a plurality of illuminators, such illuminators being selected from "a light emitting diode, a bulb and any other lamps" (Col. 2, Line 13-14). The patent to Gyori relates to an illuminated glove incorporating "a fibre-optic arrangement" (Col. 2 Line 14) used to illuminate "openings on all four fingers and the thumb of the glove" (Col. 2 Line 44). Finally, the patent to Clanton is directed to a finger enclosure containing a light source, such light source being "a light bulb having a glass dome, a metal base, and a contact" (Col. 1, Line 61-63).

In order to more clearly distinguish the claims in the present application from the prior art, independent claim 1, upon which the remaining claims in the application are dependent, has been amended to state that the illuminated glove defined therein includes a light source, a battery source, a switch for selectively activating the light source and an enclosure having an elongated lens formed from a strip of a thermoplastic translucent polymer wherein the lens is illuminated along its length. Not only has the applicant been able to obtain an enhanced illumination of the glove product, but has done so in a manner that is not anticipated or suggested by the prior art. In other words, the glove now defined in claim 1 uses a lens formed from a thermoplastic translucent polymer (as opposed to Chung-Piao, Gyori, and Clanton) that is illuminated along its length (as opposed to Chung-Piao and Clanton). It should be noted applicant does not concur with the examiner's position that the Gyori reference discloses the concept of illuminating the lens along its length inasmuch as fiberoptic cable is known to conduct light along its length, not be illuminated along its length, i.e. one cannot see the light in the fiber along its length, only at its end. Regardless,

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however, for the other reasons discussed above, it is not felt newly amended claim 1 is anticipated or rendered obvious by the prior art.

Claims 2 and 3, being dependent upon claim 1, have been amended to reflect the amendment to claim 1.

The claims remaining in the application have been amended to be patentably distinct from the prior art and there being no other objections or rejections of the application, it is felt that it is now in condition for allowance and such action is courteously requested.

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Dated this 15th day of August 2005.

Respectfully submitted,



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